

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Monday

March 13, 2006

#### Sixty-fourth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 2:09 p.m.

Roll call showed 30 members present. Representatives Anderson, McGuire, Moses, Salmon, and Thomas had been previously excused from a call of the House today. Representatives Ramras and Rokeberg were absent and their presence was noted later. Representatives Elkins, Joule, and Kohring were absent.

The invocation was offered by the Chaplain, Pastor Tom Matthews of Douglas Island Bible Church. Representative Dahlstrom moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Respecting the various beliefs represented here today, I would ask you to please join me in prayer.

Dear Lord, Creator of the Universe:

These last few days have been incredible! When the sun breaks out over these peaks, how can we but cry out in thanks to You for Your wondrous creation! The hymn writer expressed it so well when after noting the wonder of it all he sang, "Then sings my soul, my Savior God to Thee, how great Thou art!" I echo that praise today.

I pray for Your blessing on this session. Give each Representative here today a vision for the future of our great state. I pray for our national leadership as well. I pray that

You would clearly lead our country forward in a path that would honor You.

I also want to lift up those who have been affected by the terrible tragedy of the fire yesterday. In the face of such loss, it is hard to know how to pray. I do pray for the leaders and congregation of Holy Trinity Episcopal Church to be able to seek Your face for comfort in their loss. Give them wisdom as they evaluate some of the basic questions now before them as to what to do for a place to worship and what is needed to go forward. Thank You that You can give them the peace and encouragement they will need in the days to come.

I lift this prayer in the name of Jesus Christ. Amen.

The Pledge of Allegiance was led by Representative LeDoux.

### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 59th, 60th, 61st, 62nd, and 63rd legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

### **MESSAGES FROM THE GOVERNOR**

A letter dated March 8, 2006, was read stating that, in accordance with AS 39.05.080, the Governor submits the following names for legislative confirmation of appointment to the boards and commissions noted.

The Speaker referred the following to the Labor & Commerce Committee:

#### **Board of Certified Direct-Entry Midwives**

Ms. Mila (Melinda) A. Cosgrove - Juneau

Reappointed: 2/24/2006      Term Expires: 3/1/2010

**Board of Psychologist and Psychological Associate Examiners**

Dr. Lorin L. Bradbury - Bethel

Reappointed: 2/24/2006      Term Expires: 3/1/2010

**Board of Social Work Examiners**

Ms. Gail La Rose-Henderson, MSW - Wasilla

Appointed: 2/24/2006      Term Expires: 3/1/2009

The Speaker referred the following to the Resources Committee:

**Big Game Commercial Services Board**

Mr. Robert D. Mumford - Anchorage

Appointed: 3/3/2006      Term Expires: 3/1/2010

**Board of Game**

Mr. Richard A. Burley - Fairbanks

Appointed: 3/3/2006      Term Expires: 3/1/2009

Mr. Cliff Judkins - Wasilla

Reappointed: 3/3/2006      Term Expires: 3/1/2009

Resumes for the appointments are on file in the Chief Clerk's office.

\*\*The presence of Representative Ramras was noted.

**MESSAGES FROM THE SENATE**

A message dated March 13, 2006, was read stating the Senate has passed the following and it is transmitted for consideration:

**FIRST READING AND REFERENCE  
OF SENATE BILLS****SB 112**

CS FOR SENATE BILL NO. 112(FIN) am by the Senate Finance Committee, entitled:

"An Act relating to a tax on residents of and individuals employed in regional educational attendance areas; relating to permanent

fund dividend applications; relating to regional educational attendance area grants; and providing for an effective date."

was read the first time and referred to the Community & Regional Affairs and Finance Committees.

### COMMUNICATIONS

The following were received:

Dept. of Administration  
Office of the Commissioner  
Monetary Terms of Agreement Between the  
State and the Alaska Correctional Officers  
Association (ACOA)  
March 7, 2006  
(as required by AS 23.40.215)

Dept. of Administration  
Office of the Commissioner  
Monetary Terms of Arbitration Between the  
State and the Alaska State Employees Association  
(Alaska State Employees Health Trust)  
March 7, 2006  
(as required by AS 23.40.215)

The Speaker referred the monetary terms to the Finance Committee.

### INTRODUCTION OF CITATIONS

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

In Memoriam - George Mohr  
By Representatives Gruenberg, Anderson; Senator Guess

In Memoriam - Mary Alice Jones  
By Representative LeDoux; Senator Davis

In Memoriam - Stephen John Sutherland  
By Representative Coghill

In Memoriam - Margret Sullivan Pate  
By Senator Stevens; Representative Seaton

In Memoriam - Nora Guinn, First Alaska Native Judge  
By Senator Hoffman; Representative Kapsner

In Memoriam - Frank Lewis Charles  
By Senator Hoffman

The following citation was introduced and taken up later as a Special Order of Business:

Honoring - Harold N. "Buddy" Brown  
By Senators Seekins, Kookesh

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **THIRD READING OF HOUSE BILLS**

##### **HB 394**

The following, which was advanced to third reading from the March 8, 2006, calendar (page 2731), was read the third time:

##### **CS FOR HOUSE BILL NO. 394(L&C)**

"An Act relating to allowing insurance policy forms to be filed and approved in languages other than English if an official English language version is also filed, and authorizing use of insurance policy forms and associated materials in languages other than English."

Representative Gruenberg moved and asked unanimous consent that CSHB 394(L&C) be returned to second reading for the specific purpose of considering Amendment No. 1. There being no objection, it was so ordered.

Amendment No. 1 was offered by Representatives Gruenberg and Meyer:

Page 2, line 6:

Delete "knowingly"

Page 2, line 7, following "English.":

Insert "For purposes of this subsection, "misrepresent information" means to include a statement or omit a statement when, taken in the context of the whole presentation, the statement or omission may tend to mislead or deceive the person or persons addressed."

Page 2, line 8:

Delete "subsection"

Insert "section"

Representative Gruenberg moved and asked unanimous consent that Amendment No. 1 be adopted.

Objection was heard and withdrawn. There being no further objection, Amendment No. 1 was adopted.

The question being: "Shall CSHB 394(L&C) am pass the House?"  
The roll was taken with the following result:

CSHB 394(L&C) am

Third Reading

Final Passage

**YEAS: 31 NAYS: 0 EXCUSED: 5 ABSENT: 4**

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kapsner, Kelly, Kerttula, Kott, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Samuels, Seaton, Stoltze, Weyhrauch, Wilson

Excused: Anderson, McGuire, Moses, Salmon, Thomas

Absent: Elkins, Joule, Kohring, Rokeberg

And so, CSHB 394(L&C) am passed the House and was referred to the Chief Clerk for engrossment.

**THIRD READING OF SENATE BILLS****SB 224**

The following, which was advanced to third reading from the March 8, 2006, calendar (page 2732), was read the third time:

SENATE BILL NO. 224

"An Act establishing Older Alaskans' Day."

The question being: "Shall SB 224 pass the House?" The roll was taken with the following result:

SB 224

Third Reading

Final Passage

**YEAS: 30 NAYS: 0 EXCUSED: 5 ABSENT: 5**

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kapsner, Kerttula, Kott, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Samuels, Seaton, Stoltze, Weyhrauch, Wilson

Excused: Anderson, McGuire, Moses, Salmon, Thomas

Absent: Elkins, Joule, Kelly, Kohring, Rokeberg

And so, SB 224 passed the House and was signed by the Speaker and Chief Clerk and returned to the Senate.

\*\*The presence of Representative Rokeberg was noted.

**SECOND READING OF HOUSE RESOLUTIONS****HJR 31**

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 31

Relating to designating September 9, 2006, as Fetal Alcohol Spectrum Disorders Awareness Day.

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with the: Journal Page

|                  |      |
|------------------|------|
| HES RPT 4DP      | 2663 |
| FN1: ZERO(H.HES) | 2664 |

Representative Coghill moved and asked unanimous consent that HJR 31 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HJR 31 was read the third time.

The question being: "Shall HJR 31 pass the House?" The roll was taken with the following result:

HJR 31  
Third Reading  
Final Passage

**YEAS: 31 NAYS: 0 EXCUSED: 5 ABSENT: 4**

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kapsner, Kerttula, Kott, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Weyhrauch, Wilson

Excused: Anderson, McGuire, Moses, Salmon, Thomas

Absent: Elkins, Joule, Kelly, Kohring

And so, HJR 31 passed the House and was referred to the Chief Clerk for engrossment.

**HCR 5**

The following was read the second time:

HOUSE CONCURRENT RESOLUTION NO. 5  
Relating to support of community water fluoridation.

with the: Journal Page

|                |      |
|----------------|------|
| CRA RPT 5DP    | 2414 |
| FN1: ZERO(DEC) | 2415 |

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|                  |      |
|------------------|------|
| FN2: ZERO(DEC)   | 2415 |
| HES RPT 3DP 1DNP | 2663 |
| FN1: ZERO(DEC)   | 2663 |
| FN2: ZERO(DEC)   | 2663 |

The question being: "Shall HCR 5 pass the House?" The roll was taken with the following result:

HCR 5

Second Reading

Final Passage

**YEAS: 29 NAYS: 1 EXCUSED: 5 ABSENT: 5**

Yeas: Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Kapsner, Kerttula, Kott, LeDoux, Lynn, Meyer, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Weyhrauch, Wilson

Nays: Stoltze

Excused: Anderson, McGuire, Moses, Salmon, Thomas

Absent: Elkins, Gara, Joule, Kelly, Kohring

And so, HCR 5 passed the House and was referred to the Chief Clerk for engrossment.

**LEGISLATIVE CITATIONS**

Representative Coghill moved and asked unanimous consent that the House approve the citation on the calendar. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Poldine Carlo

By Representatives Guttenberg, Harris, Anderson, Berkowitz, Chenault, Cissna, Crawford, Dahlstrom, Gara, Gardner, Gatto, Gruenberg, Hawker, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson

**UNFINISHED BUSINESS****HB 300**

The Speaker stated that, without objection, reconsideration of the following, which had been held to March 14, 2006 (page 2717), be held to March 15, 2006:

CS FOR HOUSE BILL NO. 300(O&G)(fld H)

"An Act relating to the qualifications of the member of the Alaska Oil and Gas Conservation Commission who need not be certified, trained, or experienced in either the field of petroleum engineering or the field of petroleum geology."

**SPECIAL ORDER OF BUSINESS**

Representative Coghill moved and asked unanimous consent that the notice and publication requirements be waived and the citation, Honoring - Harold N. "Buddy" Brown, be taken up as a Special Order of Business. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the House approve the citation. There being no objection, the following citation was approved and sent to enrolling:

Honoring - Harold N. "Buddy" Brown

By Senators Seekins, Kookesh; Representatives Harris, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

**UNFINISHED BUSINESS****HJR 31**

Representative Seaton added his name as cosponsor to:

HOUSE JOINT RESOLUTION NO. 31

Relating to designating September 9, 2006, as Fetal Alcohol Spectrum Disorders Awareness Day.

**HB 394**

Representatives Gruenberg and Seaton added their names as cosponsors to:

CS FOR HOUSE BILL NO. 394(L&C) am

"An Act relating to allowing insurance policy forms to be filed and approved in languages other than English if an official English language version is also filed, and authorizing use of insurance policy forms and associated materials in languages other than English."

**HB 397**

Representative Dahlstrom added her name as cosponsor to:

HOUSE BILL NO. 397

"An Act making an appropriation for an upgrade of signal system emergency devices in Anchorage, contingent upon matching funds from the Municipality of Anchorage; and providing for an effective date."

**ENGROSSMENT****HCR 5**

HCR 5 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HJR 31**

HJR 31 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**HB 394**

CSHB 394(L&C) am was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

Ethics Disclosures due to the  
Select Committee on Legislative Ethics:

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**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 15, 2006. There being no objection, the House adjourned at 2:49 p.m.

Suzi Lowell  
Chief Clerk